

REMARKS

Status of Claims

Claims 1-20 are pending in the present application. Claims 1-20 stand rejected. Favorable reconsideration is respectfully requested in light of the following remarks.

Oath/Declaration

The Examiner has indicated that the Applicant's Declaration is unacceptable for failing to provide the Inventor's residence Address.

Applicants respectfully submit that Applicant's original declaration included a data sheet (copy attached), as noted on our Utility Patent Application Transmittal (copy attached), as provided under 37 CFR 1.76. See also MPEP 605.03.

Accordingly, Applicant believes that the declaration requirements have been complied with and request this objection be withdrawn. If Applicant has overlooked an additional requirement, the Office is requested to contact Applicant's representative to clarify this matter.

Claim Objections

Claims 6 and 10 stand objected to because of the following informalities: The Examiner suggests that Applicant put each acoustical absorption coefficient paired with the appropriate frequency in separate dependent claims. Applicant has amended claims 6 and 10 and added new claims 21-26 claiming each acoustical absorption coefficient paired with the appropriate frequency.

Accordingly, Applicant respectfully requests that the objections to claims 6 and 10 be withdrawn.

Rejection Under 35 U.S.C. 102(b) – Thompson

Claims 1-4, 13-15 and 17-18 stand rejected under 35 U.S.C. 102(b) as being anticipated by Thompson (US 5,841,081).

The Examiner states that Thompson teaches a nonwoven web comprising *organic microfibers* 12 and *heat activatable fibers* 14 and also preferably contains *bulking staple fiber* 16. The Examiner equates the *organic microfibers* to Applicant's "low melt bicomponent fiber", the heat activatable fibers to Applicant's "high melt bicomponent fiber" and the building staple fiber to Applicant's "staple fiber".

Applicants have amended claim 1 to clarify that the "high melt bicomponent fiber has a melt flow temperature above that of said low melt bicomponent fiber." No new matter has been added and support for the amendment can be found in the specification at page 3, paragraphs 3 and 4 and original claims 14 and 19. Thompson teaches away from Applicant's claimed invention (col. 7, lines 5-9):

The heat activatable component of the fibers is thermally activatable (that is meltable) at a temperature below the melt temperature of the melt blown microfibers, and, when present, the bulking staple fibers of the acoustical insulation.

Nowhere does Thompson teach or suggest a "high melt bicomponent fiber has a melt flow temperature above that of said low melt bicomponent fiber" as Applicant's claim. Further, Thompson teaches away from Applicant's claimed invention (as amended).

Claims 2-4, 13-15 and 17-18 ultimately depend from newly amended claim 1 and contain the limitations thereof. Accordingly, Applicant respectfully submits that Thompson does not anticipate the present invention and Applicant respectfully requests that the rejection of claims 1-4, 13-15 and 17-18 be withdrawn.

Rejection Under 35 U.S.C. 102(b)/103(a) – Thompson

Claims 5-7, 10-12, 16 and 19-20 stand rejected under 35 U.S.C. 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Thompson.

Claims 8 and 9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson.

As stated above, nowhere does Thompson teach or suggest Applicant's claimed invention, as amended. Further, Thompson teaches away from Applicant's claim invention (as amended). Claims 5-10-12, 16 and 19-20 ultimately depend from newly amended claim 1 and contain the limitations thereof. In view of the above amendment

and arguments, Applicant respectfully request that the 102(b)/103(a) rejections of claims 5-9, 10-12, 16 and 19-20 be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that claims 1-26 are allowable. The Examiner is invited to telephone the Applicants' undersigned agent at (740) 321-7213 if any unresolved matters remain.

If any questions should arise with respect to the above Remarks, or if the Examiner has any comments or suggestions to place the claims in better condition for allowance, it is requested that the Examiner contact Applicants' agent at the number listed below.

Applicant authorizes any fees required pertaining to this response be charged to Deposit Account No. 50-0568.

Respectfully submitted,
OWENS-CORNING

By 

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